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LOUIS WOO  
LAW OFFICE OF LOUIS WOO  
717 NORTH FAYETTE STREET  
ALEXANDRIA VA 22314

MAIL

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DIRECTOR'S OFFICE  
TECHNOLOGY CENTER 2600

In re Application of  
NUNO, IKUO, et al. : DECISION ON REQUEST TO  
Application No. 10/555,240 : PARTICIPATE IN PATENT  
Filed: November 1, 2005 : PROSECUTION HIGHWAY  
Attorney Docket No. 0121/0057 : PILOT PROGRAM AND PETITION  
: TO MAKE SPECIAL UNDER  
: 37 CFR 1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(d), filed December 27, 2007, to make the above-identified application special.

The request and petition are **DISMISSED**.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
- (6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications; and
- (7) The required petition fee under 37 CFR 1.17(h).

The request to participate in the PPH pilot program and petition is deficient as follows:

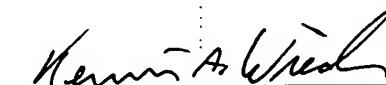
Petitioner has not complied with item 2 above in that although a translation of the claims has been submitted, the petition fails to include a copy of the actual allowable/patentable claims from the JPO application. The U.S. Patent and Trademark Office does not have the capability to download JP language documents from the Dossier Access System at this time. Petitioner has also not complied with item 5 above in that although a translation of the Japanese Office action of December 26, 2006 has been submitted, the petition fails to include a copy of the Japanese language Office action.

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be faxed to Kenneth Wieder at 571-273-2986 (RightFax) or 571-273-0308 or via EFS-web.

Telephone inquiries concerning this decision should be directed to Kenneth Wieder at 571-272-2986.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

  
Kenneth A. Wieder  
Quality Assurance Specialist  
Technology Center 2600  
Communications